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**Erc Specialty Claims (GE ERC)**

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**From:** Faxination [Faxination@erckan.fax]  
**Sent:** Wednesday, July 26, 2006 2:27 PM  
**To:** Erc Specialty Claims (GE ERC)  
**Subject:** Fax received (4p) from: '9739944882' on ID:6890



00028232000.tif

Incoming Fax:

Description:

Explanation:

Sent to: '6890' CSID:9739944882 (0)

Items received: 4

Duration: 44 seconds Transmission speed: 26400 baud

Gateway ID: 0 Job Reference: 00028231

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**Brian - I'll send over the policy specs via email, I'm in that system already. Thank you. dmg**

**Jared - see above, I will send policy to you, sent this to Brian first but then handed him a FL matter instead. Let me know if you need anything. dmg**

**LAWYERS****UNDERWRITING SERVICES**

P.O. Box 29179 • Shawnee Mission, Kansas 66201 • Fax 1.800.844-7420 • ercarfitymail@ge.com

ADDRESSEE <b>TO:</b> **CLAIMS**	PHONE ( ) -	TODAY'S DATE 07 / 26 / 2006
SENDER <b>FROM:</b> Lisa Mancino	PHONE ( 973 ) 994 - 4881	NEED-BY DATE / /
SENDER <b>E-ADDRESS:</b> Lisa@RatnerAssociates.com		EFFECTIVE DATE 03 / 14 / 2006
SAN / SUBMISSION ID / POLICY NO.: NRL-004960-8		INSURED STATE NY
APPLICANT / NAMED INSURED: Cohen Hennessey & Bienstock & Rab		TOTAL PAGE COUNT (INCLUDING THIS FORM) 4

**PIF**

**DOCUMENT TYPE**  
PLEASE SELECT ONLY ONE BOX BELOW

Address Change       Limits Change  
 Additional Insured Add / Delete       Loss Control Documentation  
 Attorney Add / Delete       Loss Run  
 Application Westport       Name Change  
 Application Competitor       Non-Renewal Notice  
 Binder       Policy  
 Broker of Record Request       Premium Finance Notice  
 Certificate of Insurance       Quotation  
 Conditional Non-Renewal       Rating / Evaluation Worksheet  
 Correspondence       Registered / Certified Mail (RCM) Return Receipt  
 Deductible Change       Underlying Policy Excess  
 Extended Reporting Period – ERP / NPERP       Update / Warranty Letter  
 Extension of Policy Period  
 E-Board Presentation

**TRANSACTION TYPE**  
PLEASE SELECT THE BOX BELOW

Put In File (PIF)

**PROCESS**

**DOCUMENT TYPE**  
PLEASE SELECT ONLY ONE BOX BELOW

Additional Information       Certificate of Reinsurance       Loss Run Request  
 Application Westport       Claim Report       Premium Finance Request  
 Application Competitor       Correction Request       Rating / Evaluation Worksheet  
 Billing & Collection Change Request       Correspondence       Request to Issue  
 Broker of Record Request       Endorsement Request       Underlying Policy Excess  
 Cancellation Request       Financial Report       Update / Warranty Letter

**TRANSACTION TYPE**  
PLEASE SELECT ONLY ONE BOX BELOW

Accounting Change       Deductible Change       Name Change  
 Additional Insured Add / Delete       Excess Coverage       New Business Request to Issue  
 Address Change       Extended Reporting Period – ERP / NPERP       New Business Submission  
 Attorney Add / Delete       Extension of Policy Period       New Business Submission – Requires Application Entry  
 Broker of Record Request       Facultative Reinsurance Underwriter Review       Reinstate Request  
 Cancel by Company       Limit Change       Renewal Business Request to Issue  
 Cancel by Insured or by Premium Finance Co.       Loss Run Request Report       Renewal Business Submission  
 Correction       Midsize Law Firm Issuance       Renewal Business Submission – Requires Application Entry

**SUBJECT**  
IF APPLICABLE – PLEASE SELECT ONLY ONE BOX BELOW

Additional Information Request       Cancel / Rewrite       Death Certificate       Declination       Non-Binding Indication "Ballpark"       Referral Response

COMMENTS claims department - potential claim

07/26/2006 14:59 FAX

001

**COHEN HENNESSEY BIENSTOCK & RABIN P.C.**  
*Attorneys At Law*  
**11 West 42<sup>nd</sup> Street, 19<sup>th</sup> Floor**  
**New York, New York 10036-8002**  
**(212) 575-0007**  
**Fax (212) 764-3925/21**

TELECOMMUNICATION LETTER

PLEASE DELIVER THE FOLLOWING PAGE(S) TO:

NAME: Laura Sundquist

LOCATION: \_\_\_\_\_

FAX NUMBER: 973 994 4882

FROM: Pat Hennessy

DOCUMENT(S) SENT: \_\_\_\_\_

TOTAL NUMBER OF PAGES: \_\_\_\_\_ INCLUDING COVER LETTER

DATE: 7/26/06 TIME: \_\_\_\_\_

IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL BACK AS SOON AS POSSIBLE.

For Westport LOS  
PLEASE DELIVER IMMEDIATELY

TELECOMMUNICATOR: \_\_\_\_\_

TELEPHONE NUMBER: (212) 575-0007

CLIENT/MATTER NUMBER: 30900, 61

IMPORTANT - THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT READING, DISSEMINATING, DISTRIBUTING OR COPYING THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U. S. POSTAL SERVICE. THANK YOU.

RATNER ASSOCIATES

JUL 26 2006

07/26/2006 14:50 FAX

002



LAW OFFICES OF  
**PAUL L. MARX**

THE GATEWAY BUILDING  
ONE NORTH LEXINGTON AVENUE  
WHITE PLAINS, NEW YORK 10601

PAUL L. MARX\*  
\*MEMBER NY & NJ BAR

(914) 949-4760  
FACSIMILE (914) 949-4141

ELIOT M. SCHUMAN  
OF COUNSEL

**SENT VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
AND REGULAR MAIL**

June 29, 2006

Patricia Hennessey, Esq.  
Cohen Hennessey & Bienstock, P.C.  
11 West 42<sup>nd</sup> Street, 19<sup>th</sup> Floor  
New York, NY 10036

Dear Ms. Hennessey:

This is to advise you that we represent Jayne Asher, a former client of yours, who sustained damages and monetary loss as a result of legal malpractice committed by your firm.

Specifically, our client was damaged by reason of your firm's failure, in the course of representing her in connection with a divorce action against her ex-husband, to timely exercise rights of election with respect to a term insurance policy on the life of her ex-husband with a death benefit in the amount of \$1,000,000.00, and a variable insurance policy on the life of her ex-husband, also with a death benefit in the amount of \$1,000,000.00. As a result thereof, our client lost the value of her right to assume the term policy and retain ownership of the variable policy, both of which were options given to her pursuant to the Stipulation which settled the divorce action.

As you know, because of your failure to preserve her rights under the Stipulation, the First Department of the Appellate Division of the Supreme Court of the State of New York determined (in its decision dated February 24, 2004) that Ms. Asher waived her rights of election under the Stipulation and thus lost the benefit of such insurance policies.

RATNER ASSOCIATES

JUL 2 6 2006

07/26/2006 15:00 FAX

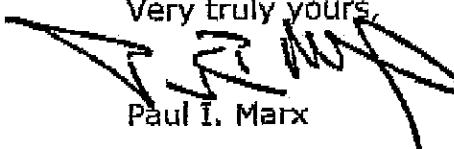
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Patricia Hennessey, Esq.  
Cohen Hennessey & Bierstock, P.C.  
Re: Jayne Asher  
Page Two  
June 29, 2006

Please be certain to give notice of this claim to any and all professional liability insurance carriers that have issued legal malpractice policies to your firm which maybe applicable to and available to satisfy our client's claims herein, and advise us of the name and address of said carrier(s), as well as the policy number(s) of such policies. Please direct all further communications relating to this matter to our office.

If you wish to discuss this matter in order to avoid litigation, please feel free to contact me.

Very truly yours,

  
Paul I. Marx

PIM/eh

RATNER ASSOCIATES  
JUL 26 2006